

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES AARON, Personal  
Representative of the Estate of Randy Aaron,  
Plaintiff,  
v.  
WYETH,  
Defendant.

Civil Action No. 07-927

Judge David S. Cercone

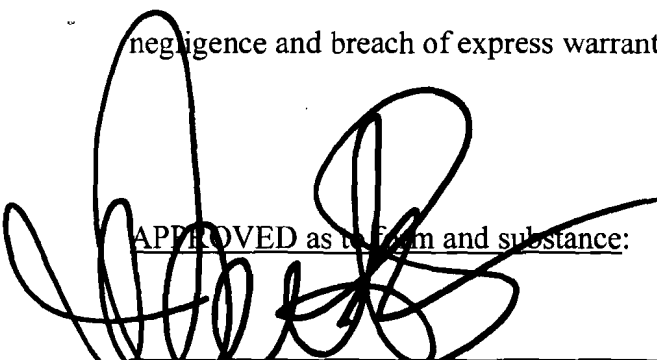
**AGREED ORDER**

On October 9, 2007, defendant Wyeth moved for partial judgment on the pleadings (Doc. No. 16). In its motion and its memorandum in support (Doc. No. 17), Wyeth sought judgment in its favor on plaintiff's strict liability claim and on his breach of implied warranty claims. Plaintiff has determined not to oppose that motion, and consents to the dismissal of these claims with prejudice. Accordingly, this 15<sup>th</sup> day of November, 2007, it is ORDERED that Wyeth's motion for partial judgment on the pleadings is GRANTED. Judgment is entered in Wyeth's favor on plaintiff's strict liability and breach of implied warranty claims, and these claims are dismissed with prejudice. This order does not address or affect plaintiff's negligence and breach of express warranty claims.




JUDGE DAVID S. CERCONI

APPROVED as to form and substance:



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